

Docket No.: 229752003700  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Stuart PITSON et al.

Application No.: 10/509,036

Confirmation No.: 1337

Filed: September 27, 2004

Art Unit: 1645

For: METHOD OF MODULATING CELLULAR  
ACTIVITY

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Examiner: Not Yet Assigned

**STATEMENT PURSUANT TO 37 CFR 1.821(f)**

Mail Stop: PCT  
Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTN: Office of PCT Legal Administration

Sir:

A response to the Decision mailed on March 26, 2008, was filed April 24, 2008. In the response the undersigned attached a paper copy of the sequence listing and the computer readable copy of the sequence listing (in ASCII text) submitted in accordance with 37 C.F.R. §§ 1.821-1.825. Subsequently, a Status Inquiry was filed on October 24, 2008, to obtain the status of the application. In reviewing PAIR, it was discovered that the sequence listing submitted had been reviewed and was found once again to be defective by the reviewer, but a notice indicating that our computer readable form (CRF) was defective was never mailed to us even after another Status Inquiry was filed on February 11, 2009.

Therefore, the undersigned hereby states that the content of the attached paper copy of the sequence listing and the computer readable copy of the sequence listing (in ASCII text) submitted in

accordance with 37 C.F.R. §§ 1.821-1.825, are identical. The submission includes no new matter. Accordingly, the abandoned status of this application should be promptly removed.

We are also attaching a copy of the sequence reviewer's report and a listing of the entries on Image File Wrapper taken from PAIR.

Applicants request consideration and entry of the Sequence Listing paper copy and computer readable copy. Pursuant to 37 C.F.R. 1.77, please enter the paper copy of the Sequence Listing after the Abstract.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **229752003700**.

Dated: October 21, 2009

Respectfully submitted,

By

Jonathan Bockman

Registration No.: 45,640  
MORRISON & FOERSTER LLP  
1650 Tysons Blvd, Suite 400  
McLean, Virginia 22102  
(703) 760-7769

Attachment